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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/702,286	08/23/96	ANDERSON	E P1969/JAS-55

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EXAMINER
HARRINGTON, A

ART UNIT	PAPER NUMBER
2712	3

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/702,286

Applicant(s)
Eric Anderson

Examiner
Alicia Harrington

Group Art Unit
2712



☒ Responsive to communication(s) filed on Aug 23, 1996

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-13 is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-13 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - a. At page 5, lines 16-20, the application numbers for the filed cases are not disclosed.
 - b. At page 11, line 9, the application number of the filed cases is not disclosed.Appropriate correction is required.

2. Claim 13 is objected to because of the following informalities: At line 9, in claim 13, the words are overwritten by other words. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 7 recites the limitation "the mark number" in line 3. There is insufficient antecedent basis for this limitation in the claim.

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Claims 9-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 9 recite the step (c1) as further limitation of step (c), however, claim 10 (which depends on claim 9), has two further steps (c1) and (c2) which together define two step (c1)'s.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 6-11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al (US 5,633,678) in view of Lee (US 5,635,984) further in view of Takeda et al. (US 5,682,207).

Regarding claim 1, Parulski et al discloses an electronic camera which captures and assigns a tag (claimed "mark") to a plurality of images taken (column 2, lines 1-5). Once all

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images are tagged (claimed "repeating step (a)"), the images are saved(claimed "one group function") to the storage (column 2, lines 58-65) through an user interface command switch (29; see figure 3; column 5, lines 55- 67). Although Parulski et al.'s system uses a "pre-capture tag system" for saving images, it would have been obvious to use a "post-captured tag " system, since it is known in the art use such a system, as recited in the background of Parulski et al. invention (column 2, lines 14-20), to increase processing time.

However, Parulski et al fails to specifically disclose a display for viewing multiple images with use of a highlighting outline around a selected image. Although, it would have been obvious to use a multiple image display to view the photographed images, as taught by Lee.

In the same field of endeavor, Lee discloses a camera which displays multiple images on the screen(see figures 11A-11F; column 3, lines 53-56 and column 7, lines 63-65). Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a multiple display format so that user can view all the images simultaneously. While viewing simultaneous images in side by side manner, it would also been obvious to use a highlighting outline around the image, as taught by Takeda et al, who uses this feature to distinguish one image from another on a display screen (column 6, lines 12-14, see figure 5).Additionally, it would have been obvious to use a highlighting in a system with "post capture" tags to show the user which image has been selected for the intended tag as a further confirmation to the user in a multi image display system.

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Regarding claim 2, Parulski et al, Lee, and Takeda et al. disclose all the limitations as applied in claim 1., Parulski et al. further discloses the user may view a group by using the control panel (29) to select a particular group for display (column 5, lines 1-8 and column 7, lines 1-7; see figure 8).

Regarding claim 3, Parulski et al discloses all the limitations as applied in claim 1. In addition, Parulski et al. discloses an electronic camera which captures and assigns a tag (claimed "mark") to a plurality of images taken (column 2, lines 1-5). Once all images are tagged (claimed "repeating step (a)"), the images are saved(claimed "one group function") to the storage (column 2, lines 58-65) through an user interface command switch (29; see figure 3; column 5, lines 55-67).

Regarding claim 6, Regarding claim 2, Parulski et al, Lee, and Takeda et al. disclose all the limitations as applied in claim 1., Parulski et al. further discloses delete functions for a particular image (column 5, lines 60-65; 52f).

Regarding claim 7, Parulski et al, Lee, and Takeda et al. disclose all the limitations as applied in claim 1., Parulski et al. further discloses depressing a select key on the control panel (29) functions to assign an image to file or particulars function (delete). Thus it stands to reason to unassign an image the user again depresses the select key to cancel the image (selecting none ; column 6,lines 52-59).

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Regarding claim 8, Parulski et al. discloses an electronic camera which captures and assigns a tag (claimed "mark") to a plurality of images taken (column 2, lines 1-5). When reviewing images the tag (see figure 7) is displayed which has been repeated throughout the image taking process forming a group (ex. kids, soccer). Although Parulski et al.'s system uses a "pre-capture tag system" for saving images, it would have been obvious to use a "post-captured tag" system, since it is known in the art to use such a system, as recited in the background of Parulski et al. invention (column 2, lines 14-20), to increase processing time.

However, Parulski et al. fails to specifically disclose a display for viewing multiple images with use of a highlighting outline around a selected image. Although, it would have been obvious to use a multiple image display to view the photographed images, as taught by Lee.

In the same field of endeavor, Lee discloses a camera which displays multiple images on the screen (see figures 11A-11F; column 3, lines 53-56 and column 7, lines 63-65). Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a multiple display format so that user can view all the images simultaneously. While viewing simultaneous images in side by side manner, it would also be obvious to use a highlighting outline around the image, as taught by Takeda et al, who uses this feature to distinguish one image from another on a display screen (column 6, lines 12-14, see figure 5). Additionally, it would have been obvious to use a highlighting in a system with "post capture" tags to show the user which image has been selected for the intended tag as a further confirmation to the user in a multi image display system.

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Regarding claim 9, . In addition, Parulski et al. discloses the tag (claimed "mark") can be alphanumeric (column 5, lines 10-15).

Regarding claim 10, Parulski et al, Lee, and Takeda et al. disclose all the limitations as applied in claim 9. In addition, Parulski et al. discloses the images are saved(claimed "one group function") to the storage (column 2, lines 58-65) through an user interface command switch (29; see figure 3; column 5,lines 55- 67).

Regarding claim 11, Parulski et al, Lee, and Takeda et al. disclose all the limitations as applied 10. In addition, Parulski et al.discloses depressing a select key on the control panel (29) functions to assign an image to file or particulars function (delete). Thus it stands to reason to unassign an image the user again depresses the select key to cancel the image (selecting none ; column 6,lines 52-59).

Regarding claim 13, Parulski et al.discloses an electronic camera comprising:

a memory device (18 and 24; see figure 2; column 4, lines 5-7 and 41-55);

a memory manager (column 4, lines 56 -67 and column 5, lines 31-51)

an interface coupled to said memory (column 5, lines 1-7 and column 8, lines 34-44);

an user interface for displaying (computer screen; see figure 8; column 6, lines 66-67 and column 7, lines 23-26) an image;

means coupled to the memory manager for assigning a mark function (tag) to one of the function keys on the control panel (29), such that in response to the user selecting (column 6, lines 1-4; pressing) the assigned key , a mark number (tag- alphanumeric number; column 7, lines

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59-65) is assigned to the image to be viewed. In which the user may repeatedly perform this tag on several images(column 6, lines 60-64) to be viewed under the same tag (see figure 7).

means coupled to the memory manager for assigning a group function (date, time) to a particular tag (function key; see figure 3), such that the in response to a user selecting (pressing) the particular tag function, the group of images is collective given the date and time (column 7, lines 23-40). However, Parulski et al fails to specifically disclose a display for viewing multiple images with use of a highlighting outline around a selected image. Although, it would have been obvious to use a multiple image display to view the photographed images, as taught by Lee.

In the same field of endeavor, Lee discloses a camera which displays multiple images on the screen(see figures 11A-11F; column 3, lines 53-56 and column 7, lines 63-65). Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a multiple display format so that user can view all the images simultaneously. While viewing simultaneous images in side by side manner, it would also been obvious to use a highlighting outline around the image, as taught by Takeda et al, who uses this feature to distinguish one image from another on a display screen (column 6, lines 12-14, see figure 5).Additionally, it would have been obvious to use a highlighting in a system with "post capture" tags to show the user which image has been selected for the intended tag as a further confirmation to the user in a multi image display system.

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5. Claims 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al (US 5,633,678) in view of Lee (US 5,635,984), in view of Takeda et al. (US 5,682,207), further in view of **Parulski et al. (US 5,414, 811)**.

Regarding claim 4, Parulski et al, Lee, and Takeda et al. disclose all the limitations as applied in claim 1. However, they fails to specifically disclose a slide show function (displaying one image after another in a file) for viewing images. Although, it is well known, as taught by Parulski et al.

In a related field of endeavor, Parulski et al. discloses a digital image processing system which responds to the a view command from the user by loading several images from a file to display a preceding image and the next image upon command(column 8, lines 60-68). Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a slide show feature in the system to reduce latency time in view a group of images, as taught by Parulski et al.

6. Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al (US 5,633,678) in view of Lee (US 5,635,984), in view of Takeda et al. (US 5,682,207), further in view of **Bullock et al. (US 5,675,358)**.

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Regarding claim 5, Parulski et al, Lee, and Takeda et al. disclose all the limitations as applied in claim 1. However, they fails to specifically disclose duplicating the highlighted image. Although, it is well known in the art, as taught by Bullock et al.

In the same field, of endeavor, Bullock et al. discloses an digital image capture control apparatus in which a selected group of images(stack) or an image(see figure 18) is duplicated by saving the image(s) in another file (column 8, line 27-37) by the user selecting that feature form the graphical interface pull down display (analogous to function keys). As it is well known in computer applications, a file can be duplicated by saving it twice with different file names. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a duplicating function in order to give the user a permanent storage image source, as taught by Bullock et al.

Regarding claim 12, Parulski et al, Lee, and Takeda et al. disclose all the limitations as applied in claim 11. However, they fails to specifically disclose duplicating the highlighted image. Although, it is well known in the art, as taught by Bullock et al.

In the same field, of endeavor, Bullock et al. discloses an digital image capture control apparatus in which a selected group of images(stack) or an image(see figure 18) is duplicated by saving the image(s) in another file (column 8, line 27-37) by the user selecting that feature form the graphical interface pull down display (analogous to function keys). As it is well known in computer applications, a file can be duplicated by saving it twice with different file names. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to

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include a duplicating function in order to give the user a permanent storage image source, as taught by Bullock et al.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ercherer et al. (US 5,740,267) discloses a system for processing image data.

Moghadam et al (US 5,706,049) discloses a camera that records an active image area identifier with an image;

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Harrington whose telephone number is (703) 308-9295. The examiner can normally be reached on Monday to Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Wendy Garber, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5399 (for informal or draft communication, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

AMH: *AMH*

June 4, 1998.

W Garber
WENDY GARBER
PRIMARY EXAMINER

Supervisory